

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

GREGORY KONRATH,)	
)	
Petitioner,)	
)	CAUSE NO. 3:17-CV-52 RL
vs.)	
)	
SUPERINTENDENT,)	
)	
Respondent.)	

OPINION AND ORDER

This matter is before the Court on a habeas corpus petition filed by Gregory Konrath, a pro se prisoner, in the United States District Court for the Southern District of Indiana on January 10, 2017, which was transferred here. For the reasons set forth below, this case is **DISMISSED** for want of jurisdiction.

DISCUSSION

Gregory Konrath, a pro se prisoner, filed a habeas corpus petition challenging the prison disciplinary hearing (WCC 16-11-452) where a disciplinary hearing officer (DHO) at the Westville Correctional Facility found him guilty of Abuse of Telephone Privileges in violation of C-361. This is not the first time that Konrath has brought a habeas corpus petition challenging that hearing; he has done so on three previous occasions. In *Konrath v. Superintendent*, 3:16-CV-839 (N.D. Ind. filed December 8, 2016), *Konrath v. Superintendent*, 3:16-CV-879 (N.D. Ind. filed

December 16, 2016), and *Konrath v. Superintendent*, 3:17-CV-19 (N.D. Ind. filed January 3, 2017), he challenged this same proceeding. Each petition was denied.

As such, this is another unauthorized successive petition over which this court has no jurisdiction. See 28 U.S.C. § 2244(b)(3)(A). "A district court must dismiss a second or successive petition, without awaiting any response from the government, unless the court of appeals has given approval for its filing." *Nunez v. United States*, 96 F.3d 990, 991 (7th Cir. 1996) (emphasis in original). Here, Konrath has not obtained authorization from the Seventh Circuit to file a successive petition.

CONCLUSION

For the reasons set forth above, this case is **DISMISSED** for want of jurisdiction.

DATED: January 24, 2017

**/s/ RUDY LOZANO, Judge
United States District Court**